



W.P.No.34335 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.34335 of 2024
& W.M.P.Nos.37207, 37208 of 2024 and 1223 of 2025

D.Dilli Bai

.. **Petitioner**

Vs.

1. The District Collector
First Floor, Collectorate,
Master Plan Complex, Thiruvallur District,
Tamil Nadu- 602 001.

2.The District Revenue Officer
Collectorate Office Campus,
Tiruvallur, Thiruvallur District
Tamil Nadu- 602 001.

3.The Revenue Divisional Officer
Kasinathapuram, Tiruttani Division,
Tiruttani, Tamil Nadu- 631 209.

4.The Divisional Engineer Highways C & M
Thiruvallur Division,
Thiruvallur District, Tamil Nadu- 602 001.



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5.The Assistant Divisional Engineer (H)
C And M Division, Tiruttani - 631 209.

6.The District Officer
Fire And Rescue Service Department,
Thiruvallur, Thiruvallur District,
Tamil Nadu-602 001.

7.Jt.Chief Controller Of Explosives
Petroleum And Explosives Safety Organisation (PESO)
A & D Wing Block 1- 8, 2nd Floor, Shastri Bhavan,
26 Haddows Road, Nungambakkam, Chennai-06.

8.The Branch Manager
Tamil Nadu State Transport Corporation (vpm) Ltd,
Tiruttani Depot, Arakonam Road, Tiruvallur District- 631 209.

9.The General Manager
Tamil Nadu State Transport Corporation (vpm) Ltd.,
Villupuram Tamil Nadu- 605 602.

10.The Divisional Manager (Retail)
Indian Oil Corporation Limited,
Nungambakkam High Road,
Tirumurthy Nagar, Thousand Lights,
Chennai-600 006.

.. **Respondents**

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records of the 3rd respondent relates to LOI and NOC for survey No.314/ 3 part, vide LOI No.2023/ IN000086/ TN / 000007/ 4102/ 00004 dated 11-8-2023 and to quash the same and consequently direct the respondents not to grant the no objection

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certificate to the Retail outlet Petrol Pump Survey No.314/ 3 part, TNSTC (VPM) Ltd., Thiruttani Depot, Arakkonam Road, Thiruttani, Thiruvallur District 631 209.

For the Petitioner : M/s P.D.Theyzovathi

For the Respondents : Mr.R.Murthi
Government Advocate
for RR1 to 3
Mr.Mohamed Fayaz Ali for R10
Mr.T.Chandrasekaran for R9
Mr.V.Venkata Seshaiya
Government Advocate
for RR4 to 6

ORDER

This Writ Petition is filed for a Certiorarified Mandamus, to call for the records, in respect of the impugned order dated 11.08.2023 quash the same and direct the respondents not to grant No Objection Certificate to the retail outlet petrol pump in Survey No.314/3 part, TNSTC (Villupuram) Limited, Tiruttani Depot, Arakkonam Road, Tiruvallur District.

2. The grievance of the petitioner is that the he is running a retail outlet in the nearby vicinity. Within 300 meters from the retail outlet, a outlet is proposed



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to be formed by the 10th respondent. Apart from the mandatory 300 meters distance, this outlet cannot also be formed in the said premises, in view of the intersection that is located. In view thereof, the NOC cannot be granted by the 2nd respondent and therefore, the petitioner has approached this Court.

3. Heard the learned counsel appearing on behalf of the petitioner and the learned counsels appearing on behalf of the respondents.

4. It can be seen that the impugned order is nothing but an application that is made by the Indian Oil Corporation Limited, the 10th respondent herein. It is for the 2nd respondent to apply its mind as to the various mandatory guidelines and other parameters before issuing the NOC. It is stated that though the petitioner's petroleum retail outlet is situated less than 300 meters from the 10th respondent's retail outlet, there is enough space for them to locate it beyond 300 meters. The learned counsel submits that further intersection is also there.

5. Be that as it may, let the 2nd respondent take a decision in accordance



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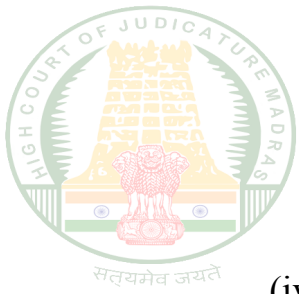
with law, by considering the mandatory distance criteria or whether there is any other disqualification in respect of the said land, before issuing NOC. While taking a decision, the petitioner shall also be heard. The measurements if any shall also be made in the presence of the petitioner.

6. In view thereof, this Writ Petition is disposed of on the following terms,

(i) The 2nd respondent shall consider the application of the 10th respondent that is made vide communication dated 11.08.2023 in accordance with law by duly considering the objections of the petitioner also;

(ii) The 2nd respondent shall also issue notice to the petitioner as well as the respondents 5, 8, 9 and 10 and thereafter decide the matter in accordance with law;

(iii) It is needless to mention that the 2nd respondent shall take into consideration as to which of the guidelines are mandatory, which of the guidelines are directory and giving due opportunity to the parties shall pass orders in accordance with law;



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closed.

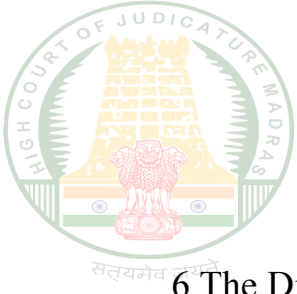
(iv) No costs. Consequently, the connected miscellaneous petitions are

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Neutral Citation : No
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To

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First Floor, Collectorate,
Master Plan Complex, Thiruvallur District,
Tamil Nadu- 602 001.
2. The District Revenue Officer
Collectorate Office Campus,
Tiruvallur, Thiruvallur District
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3. The Revenue Divisional Officer
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